Single Bench

(1) (3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR: CHHATTISGARH

W.P. NO. 4625 OF 2004

Petitioner

P.R. No. 4621/04 Presented by Shri Sharma dated 25/11/04

Sunil Mahakalkar, S/o Late Shri N.D. Mahakalkar, aged about 41 years, Block Education Officer, R/o Shakti Nagar, Rajnandgaon (Chhattisgarh)

Versus

Respondents

1. State of Chhattisgarh, through the Secretary, Department of School Education, D.K.S. Bhavan, Raipur (Chhattisgarh)

2. The District Education Officer, Rajnandgaon (Chhattisgarh)

3. Anil Sharma, S/o not known, Block Education officer, Dongargarh (Chhattisgarh)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

(26)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 4625/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	10-12-2004 Miss Sharmila Singhai, counsel for the petitioner. Shri Sudhir Agrawal, Panel Lawyer for the State. Heard. Learned counsel for the petitioner submits that the matter relates to transfer of the petitioner. She further submits that the petitioner has been transferred from Block Education Office, Rajnandgaon to Govt. High School, Sundra vide order dated 26-10-2004 (Annexure-P/1). She further submits that earlier the petitioner was transferred in the month of July, 2003. She further submits that the petitioner has been transferred during mid session. She also submits that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law. Having considered and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising his grievances before the competent authority of the respondents along with a copy of the petition and this order, within 15 days, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law as early as possible preferably within two months from the date of receipt of the representation.	

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 4625/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
Gowri	Learned counsel for the petitioner submits that the petitioner has not been relieved and nobody has been posted in place of the petitioner. She prays that the petitioner may be allowed to continue. It is directed that if the petitioner has not been relieved and other person has not joined in place of the petitioner, the petitioner may be allowed to continue till the representation is decided. It is made clear that if the petitioner has already been relieved or other person has already joined in place of the petitioner, this order will not entitle the petitioner to rejoin at the earlier place of posting. With the aforesaid observation, this petition stands disposed of. Consequently, M.W.P.No.4941/04 also stands disposed of. Sd/- Fakhruddin Judge	

15-12-09